

McGREGOR W. SCOTT  
United States Attorney  
KRISTIN S. DOOR, SBN 84307  
Assistant United States Attorney  
501 I Street, Suite 10-100  
Sacramento, California 95814  
Telephone: (916) 554-2723

Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	2:03-CV-2326 GEB/GGH
	)	
Plaintiff,	)	
	)	<b>FINAL JUDGMENT OF FORFEITURE</b>
v.	)	
	)	
REAL PROPERTY LOCATED AT 5661	)	
OREGON TRAIL, EL DORADO	)	
COUNTY, GEORGETOWN,	)	
CALIFORNIA, APN: 061-550-31-	)	
000, INCLUDING ALL	)	
APPURTENANCES AND IMPROVEMENTS)	)	
THERE TO,	)	
	)	
Defendant.)	)	
	)	
DANNY C. AND MARY HOWARD,	)	
	)	
Claimants.)	)	
	)	

Pursuant to the Stipulation for Final Judgment of  
Forfeiture, the Court finds:

1. This is a civil forfeiture action against certain real  
property listed in the caption above. The real property is more  
particularly described in Exhibit A, attached hereto and  
incorporated herein by reference.

1           2. A Complaint for Forfeiture In Rem was filed on November  
2 6, 2003, seeking the forfeiture of the defendant real property,  
3 alleging that said property is forfeitable to the United States  
4 of America pursuant to 21 U.S.C. § 881(a)(7).

5           3. On November 20, 2003, the defendant real property was  
6 posted with a copy of the complaint and notice of complaint.

7           4. On December 12, 2003, a Public Notice of Posting of  
8 defendant property appeared by publication in The Mountain  
9 Democrat, a newspaper of general circulation in the county in  
10 which the defendant real property is located (El Dorado County).

11           5. In addition to the Public Notice of Posting having been  
12 completed, actual notice was given by certified mail to the  
13 following:

- 14           a. Mary M. Howard  
15           b. Danny C. Howard  
16           c. Internal Revenue Service.

17           6. Mary M. Howard and Danny C. Howard filed verified claims  
18 and answers alleging an interest in the defendant real property.

19           7. Claimant Danny C. Howard died on October 31, 2004.

20           8. Other than Danny C. and Mary Howard, no other parties  
21 have filed claims or answers in this matter, and the time for  
22 which any person or entity may file a claim and answer has  
23 expired.

24           Based on the above findings, and the Court being otherwise  
25 fully advised in the premises, it is hereby

26           ORDERED AND ADJUDGED:

27           1. That the Court adopts the Stipulation for Final Judgment  
28 of Forfeiture entered into by and between the parties to this

1 action.

2 2. That judgment is hereby entered against claimant Mary M.  
3 Howard and Danny C. Howard and all other potential claimants who  
4 have not filed claims in this action.

5 3. That the sum of \$20,000.00 is substituted as the res  
6 herein, and all right, title, and interest in \$20,000 is hereby  
7 forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6),  
8 to be disposed of according to law.

9 4. That plaintiff United States of America and its  
10 servants, agents, and employees and all other public entities,  
11 their servants, agents, and employees, are released from any and  
12 all liability arising out of or in any way connected with the  
13 posting or forfeiture of the defendant real property. This is a  
14 full and final release applying to all unknown and unanticipated  
15 injuries, and/or damages arising out of said posting or  
16 forfeiture, as well as to those now known or disclosed. The  
17 parties waive the provisions of California Civil Code §1542.

18 5. Pursuant to the stipulation of the parties, and  
19 allegations set forth in the Complaint for Forfeiture *In Rem*  
20 filed November 6, 2003, the Court finds that there was reasonable  
21 cause for the posting of the defendant property, and a  
22 Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465  
23 shall be entered accordingly.

24 6. That all parties are to bear their own costs and  
25 attorneys' fees.

26 Dated: August 17, 2005

27 /s/ Garland E. Burrell, Jr.  
28 GARLAND E. BURRELL, JR.  
United States District Judge

CERTIFICATE OF REASONABLE CAUSE

Pursuant to the Stipulation for Final Judgment of Forfeiture filed herein and the allegations set forth in the Complaint for Forfeiture *In Rem* filed November 6, 2003, the Court enters this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the posting of defendant property.

Dated: August 17, 2005

/s/ Garland E. Burrell, Jr.  
GARLAND E. BURRELL, JR.  
United States District Judge